

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALISHA KINNER,	)	CIVIL DIVISION
	)	
Plaintiff,	)	
	)	Civil Action No. 2:18cv832
vs.	)	
	)	
GARRISON PROPERTY AND	)	
CASUALTY INSURANCE COMPANY,	)	
	)	
Defendant.	)	

**PETITION FOR REMOVAL OF CIVIL ACTION**

AND NOW, comes Defendant GARRISON PROPERTY AND CASUALTY INSURANCE COMPANY, by and through its counsel, Marshall Dennehey Warner Coleman & Goggin, and Patricia A. Monahan, Esquire, and files the within Petition for Removal of Civil Action from the Court of Common Pleas of Allegheny County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania, representing as follows:

1. Plaintiff commenced this action on May 9, 2018 by filing a Complaint in the Court of Common Pleas of Allegheny County, Pennsylvania, at Case Number GD 18-005997 (A true and correct copy of Plaintiff's Complaint is attached hereto and marked as Exhibit "A").

2. Plaintiff alleges that she resides at 1005 Pennsylvania Avenue, Glassport, 15045, Pennsylvania 15217. (Exhibit "A", ¶ 1). Therefore, upon information and belief, Plaintiff is a citizen of the Commonwealth of Pennsylvania.

3. Garrison Property and Casualty Insurance Company is a company organized and existing under the laws of the state of Texas, with its principal place of business located at 9800 Fredericksburg Road, San Antonio, TX 78288.

4. A copy of the Allegheny County Docket is attached hereto and marked as Exhibit "B".

5. In her Complaint, Plaintiff alleges a breach of contract claims against Defendant.

6. Based upon the allegations of Plaintiff's Complaint, including Plaintiff's claims for serious and permanent personal injuries, serious impairment of bodily function, permanent serious disfigurement, emotional injuries, great financial detriment and loss, and loss of earnings and/or loss of earning capacity, it appears that the amount in controversy in this action is in excess of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of costs and interest.

7. This Honorable Court has jurisdiction over this action pursuant to the provisions of 28 U.S.C. §1332 because diversity of citizenship exists between the parties and the amount in controversy exceeds \$75,000.00.

8. The present lawsuit is removable from state court to this Honorable Court by Notice pursuant to 28 U.S.C. §§1441 and 1446.

9. This Petition for Removal has been made within thirty (30) days after receipt by Defendant of the Complaint in accordance with 28 U.S.C. § 1446(b).

10. Written notice of the filing of this Notice of Removal has been given to the adverse party in accordance with 28 U.S.C. §1446(d) and as noted in the attached Certificate of Service.

11. Promptly after filing with this Court and with the assignment of a civil action number, notice of this removal will be filed with the Court of Common Pleas of Allegheny County, Pennsylvania in accordance with 28 U.S.C. § 1446(d).

WHEREFORE, Garrison Property and Casualty Insurance Company respectfully requests the removal of this action from the Court of Common Pleas of Allegheny County, Pennsylvania to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

MARSHALL DENNEHEY  
WARNER COLEMAN & GOGGIN

By: s/ Patricia A. Monahan  
Patricia A. Monahan, Esquire  
PA ID #58784  
pamonahan@mdwcg.com

Counsel for Defendant Garrison Property and  
Casualty Insurance Company

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **Petition for Removal** has been served upon the following counsel of record this 20<sup>th</sup> day of June, 2018, via Electronic and/or U.S. First-Class Mail, Postage Prepaid:

Marc I. Simon, Esquire  
Amanda L. Nese, Esquire  
SIMON & SIMON, P.C.  
500 Grant Street, Suite 2900  
Pittsburgh, PA 15219

*(Counsel for Plaintiff)*

**MARSHALL DENNEHEY  
WARNER COLEMAN & GOGGIN**

By: s/ Patricia A. Monahan  
Patricia A. Monahan, Esquire  
PA ID # 58784  
pamonahan@mdwgcg.com

Counsel for Defendant Garrison Property and  
Casualty Insurance Company